

**COMMONWEALTH of VIRGINIA**

Department of Health  
P O BOX 2448  
RICHMOND, VA 23218

TTY 7-1-1 OR  
1-800-828-1120

**NOTICE AND DESCRIPTION OF SHELLFISH AREA CONDEMNATION  
NUMBER 006-143, GARDNER, JACKSON AND BONUM CREEKS****EFFECTIVE 15 JULY 2023**

Pursuant to Title 28.2, Chapter 8, §§ 28.2-803 through 28.2-808, § 32.1-20, and § 2.2-4002, B.16 of the Code of Virginia:

1. The "Notice and Description of Shellfish Area Condemnation Number 006-143, Gardner, Jackson and Bonum Creeks," effective 15 June 2022, is cancelled effective 15 June 2023.
2. Condemned Shellfish Area Number 006-143, shown as Sections A through E, is hereby established effective 15 July 2023. It shall be unlawful for any person, firm, or corporation to take shellfish from these areas for any purpose, except by permit granted by the Marine Resources Commission, as provided in § 28.2-810 of the Code of Virginia. The boundaries of these areas are shown on the map titled "Gardner, Jackson and Bonum Creeks, Condemned Shellfish Area Number 006-143, 15 July 2023" which is part of this notice.
3. Seasonally Condemned Shellfish Number 006-143, shown as Section M1, is hereby established effective 15 July 2023, and shall remain in force annually thereafter for the period beginning the first day of April through the last day of October until rescinded. It shall be unlawful for any person, firm or corporation to take shellfish from this area during such period for any purpose, except by permit granted by the Marine Resources Commission, as provided in § 28.2-810 of the Code of Virginia. The boundaries of this area are shown on the map titled "Gardner, Jackson and Bonum Creeks, Condemned Shellfish Number 006-143, 15 July 2023" which is part of this notice.
4. Seasonally Condemned Shellfish Number 006-143, shown as Sections S1, S2, S3 and S203, is hereby established effective 15 July 2023, and shall remain in force annually thereafter for the period beginning the first day of April through the last day of October until rescinded. It shall be unlawful for any person, firm or corporation to take shellfish from these areas during such period for any purpose, except by permit granted by the Marine Resources Commission, as provided in § 28.2-810 of the Code of Virginia. The boundaries of these areas are shown on the map titled "Gardner, Jackson and Bonum Creeks, Condemned Shellfish Number 006-143, 15 July 2023" which is part of this notice.
5. The Department of Health will receive, consider and respond to petitions by any interested person at any time with respect to reconsideration or revision of this order.

**BOUNDARIES OF CONDEMNED AREA NUMBER 006-143**

- A. The condemned area shall include all of the northern prong of Gardner Creek upstream of a line drawn from latitude / longitude map coordinate (38°06'44.0",-76°37'01.6") to map coordinate (38°06'45.7",-76°36'58.0").

- B. The condemned area shall include that portion of the northern prong of Jackson Creek and its tributaries upstream of a line drawn from latitude / longitude map coordinate (38°06'11.5", -76°36'17.9") to map coordinate (38°06'10.2", -76°36'13.7").
- C. The condemned area shall include that portion of Bonum Creek and its tributaries upstream of a line drawn from latitude / longitude map coordinate (38°05'17.1", -76°35'19.8") to map coordinate (38°05'15.6", -76°35'13.3").
- D. The condemned area shall include that portion of the southern prong of Jackson Creek and its tributaries upstream of a line drawn from latitude / longitude map coordinate (38°06'04.4", -76°36'02.4") to map coordinate (38°06'03.9", -76°35'59.0").
- E. The condemned area shall include all of the southern prong of Gardner Creek upstream of a line drawn from latitude / longitude map coordinate (38°06'39.3", -76°36'59.4") to map coordinate (38°06'38.2", -76°36'56.9").
- M1. The seasonally condemned area shall include that portion of Ragged Point Bay, including all of the unnamed inlet, inland of a line drawn from latitude / longitude map coordinate (38°08'54.3", -76°36'42.7"), to map coordinate (38°08'56.0", -76°36'38.3"), to map coordinate (38°08'14.2", -76°36'22.8") and to map coordinate (38°08'07.5", -76°36'35.3").
- S1. The seasonally condemned area shall include that portion of Gardner Creek upstream of a line drawn from latitude / longitude map coordinate (38°06'51.1", -76°36'34.4") to map coordinate (38°06'45.1", -76°36'33.5"); but excludes the areas defined as Sections A and E.
- S2. The seasonally condemned area shall include that portion of Jackson Creek and its tributaries upstream of a line drawn from latitude / longitude map coordinate (38°06'25.2", -76°35'49.4") to map coordinate (38°06'24.3", -76°35'48.3"); but excludes the areas defined as Sections B and D.
- S3. The seasonally condemned area shall include that portion of Bonum Creek and its tributaries upstream of a line drawn from latitude/longitude map coordinate (38°05'50.4", -76°34'54.0") to map coordinate (38°05'44.6", -76°34'50.9") ; but excludes the area defined as Section C.
- S203. The seasonally condemned area shall include all of the unnamed tributary of Gardner Creek upstream of a line drawn from latitude / longitude map coordinate (38°06'53.2", -76°36'27.7") to map coordinate (38°06'52.3", -76°36'21.6").

Recommended by:

DocuSigned by:

*Danielle Schools*

Director, Division of Shellfish Safety

Ordered by:

DocuSigned by:

*Julie Henderson*

Director, Office of Environmental Health Services

6/1/2023 | 10:21:20 AM EDT

Date

**Virginia Department of Health**  
**Gardner, Jackson and Bonum Creeks**  
**Condemned Shellfish Area Number 006-143**  
**15 July 2023**

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